

Decision 84 04 068

APR 18 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ALLAN N. ROBISON, DENNIS V. MEYER,
ROSCOE H. BROOKS, JR., BRADLEY B. LUSK,
TILTON G. GORE, and BERND G. HEAD
for authority to acquire control of
of PRIMO TRUCKING, INC., a California
corporation, pursuant to Section 854
of the Public Utilities Code.

Application 84-01-02
(Filed January 3, 1984)

O P I N I O N

This is an application in which Allan N. Robison, Dennis V. Meyer, Roscoe H. Brooks, Jr., Bradley B. Lusk, Tilton G. Gore and Bernd G. Head (applicants) seek authority to acquire control of Primo Trucking, Inc. (Primo).

Notice of the application appeared in the Commission's Daily Calendar on January 6, 1984. There are no protests.

The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Primo holds a certificate of public convenience and necessity to operate as a highway common carrier and a highway contract carrier permit issued by this Commission.
3. Primo is authorized to issue 5,000 shares of common stock. It has issued 1,500 shares to Arthur E. and Phoebe Brusco (Bruscos), husband and wife.
4. On December 15, 1983, applicants and the Bruscos entered into an agreement, subject to the approval of the Commission, whereby the Bruscos agreed to sell all of the outstanding stock of Primo to applicants for \$20,000. The agreement is attached to the application as Exhibit A. After the purchase, applicants will co-own all the outstanding common stock equally.

5. Each applicant has worked in the motor carrier industry for a period of years and is presently affiliated with System 99, a carrier which holds operating authority issued by this Commission.

6. Applicants have the resources and experience to acquire and operate Primo.

7. The proposed sale and transfer of stock is not adverse to the public interest.

8. Primo is operating at a loss. This order should be made effective on the date of issuance to permit applicants to promptly assume control to minimize losses and attempt to reverse the situation.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. On or after the effective date of this order Arthur E. and Phoebe Brusco, husband and wife, may sell and transfer to Allan N. Robison, Dennis V. Meyer, Roscoe H. Brooks, Jr., Bradley B. Lusk, Tilton G. Gore and Bernd G. Head all of the outstanding shares of the capital stock of Primo Trucking, Inc., in accordance with the agreement attached to the application as Exhibit A.

2. Within 30 days after the transfer of shares hereby authorized, Arthur E. and Phoebe Brusco shall notify the Commission in writing of that fact.

3. The authority granted by this order shall expire on December 31, 1984, if it has not been exercised by that date.

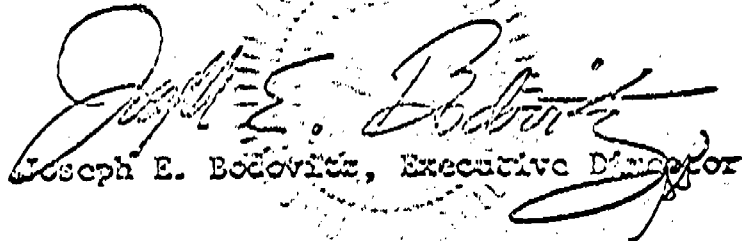
This order is effective today.

Dated APR 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director